

IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

THURSDAY, THE SEVENTEENTH DAY OF FEBRUARY
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE K.C. BHANU

WRIT PETITION NO : 24275 of 2004

Between:

The Durgabai Deshmukh Hospital Employees Union, Vidyanagar Hyderabad-44.

..... PETITIONER

AND

- 1 The Industrial Tribunal-II rep by Presiding Officer
M.J.Road, Hyderabad-1.
- 2 The Management of Durgabai Deshmukh Hospital and Research
Centre,Vidyanagar,

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to call for the records from the 1st respondent in IA No.93/2004 in ID No.1 /2004 and issue an appropriate writ, order or Direction, particularly one in the nature of Writ of Certiorari and quash the orders passed by the 1st respondent in IA No.93/2004 in ID.No.1/2004 dt 29-11-2004, holding the same as illegal, unjust, contrary to law and perverse; and grant all consequential benefits.

Counsel for the Petitioner: MR.A.K.JAYAPRAKASH RAO

Counsel for the Respondent No.1: GP FOR LABOUR

Counsel for the Respondent No.2: Mr. V. Hariharan

The Court, at the stage of admission, made the following :

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ORAL ORDER:

This writ petition is filed challenging the order, dated 29.11.2004 passed by the 1st respondent-Industrial Tribunal II, Hyderabad in I.A.No.93 of 2004 in I.D.No.1 of 2004.

The 2nd respondent filed a counter affidavit along with vacate stay petition. In para 10 of the counter affidavit, it is stated that “respondent herein does not have objection to file the said documents subject to the relevancy of the said documents.”

Since the 2nd respondent herein has prepared to produce the documents, I am of the considered view that without entering into the merits of the case this writ petition can be disposed of with a direction to the 2nd respondent to produce those documents before the Tribunal. However, it is made clear that the relevancy and the admissibility of those documents have to be decided by the Tribunal at the appropriate time. The order of the Labour Court is accordingly modified.

The writ petition is disposed of in terms of the above direction.
In the circumstances of the case, there shall be no order as to costs.

(K.C. BHANU, J.)

17th February, 2005.

bcj

To

1 The Presiding Officer, Industrial Tribunal-II, M.J.Road, Hyderabad-1.

2 The Management of Durgabai Deshmukh Hospital and Research
Centre, Vidyanagar,

3 Two C.Cs. to the Government Pleader for Labour, High Court
Buildings, Hyderabad (OUT)

4 Two C.D. copies.